

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**CHRISTIAN MENDEZ,**

**Plaintiff,**

**v.**

**EMORY HEALTHCARE, INC.,**

**Defendant.**

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**CIVIL ACTION FILE NO.:**

**1:22-CV-01445-MHC-RDC**

**DEFENDANT’S MOTION TO DISMISS PLAINTIFF’S COMPLAINT**

COMES NOW Defendant Emory Healthcare, Inc. (“EHC” or “Defendant”), pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and respectfully moves this Court for an Order dismissing Plaintiff’s Complaint. In support of its motion, Defendant relies upon the accompanying memorandum of law, Plaintiff’s Complaint, and the documents referenced in Plaintiff’s Complaint.

WHEREFORE, Defendant respectfully requests that the Court grant its Motion to Dismiss Plaintiff’s Complaint.

Respectfully submitted this 8th day of July, 2022.

**LEWIS BRISBOIS BISGAARD & SMITH LLP**

By: /s/ Toni J. Read  
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**CERTIFICATE OF COMPLIANCE**

The undersigned counsel hereby certifies that this **DEFENDANT’S MOTION TO DISMISS PLAINTIFF’S COMPLAINT** complies with the type-volume limitations set forth in Rule 5.1 of the Local Rules of the United States District Court for the Northern District of Georgia and has been typed in Times New Roman 14 count.

/s/ Toni J. Read

Toni J. Read

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 8th day of July, 2022, a true and exact copy of the foregoing **DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT** was filed electronically with the Clerk of Court using the CM/ECF system and has been sent via U.S. Mail, postage prepaid and addressed as follows to Plaintiff:

Christian Mendez  
150 Hutchinson Street NE, Unit #708  
Atlanta, GA 30307

/s/ Toni J. Read

Toni J. Read